

REMARKS

In accordance with the foregoing, claims 1-3, 16, 17, and 22 are amended. No new matter is presented, and accordingly approval and entry of the foregoing amended claims are respectfully requested.

Claims 1-22 are pending and under consideration. Reconsideration is requested.

Claim Amendments

Claim 1 is amended to recite a position information management system managing position information of a mobile body including "a position recording apparatus, remotely located from the terminal, communicating with the terminal through a radio network, receiving the encrypted position information transmitted from the terminal through the radio network and recording the encrypted position information in an encrypted state, wherein the position recording apparatus can decrypt the recorded encrypted position information only after the terminal sends decryption data to allow the position recording apparatus to decrypt the recorded encrypted position information and the position recording apparatus receives the decryption data from the terminal." (Amendatory language underlined). Claims 16, 17, and 22 are similarly amended.

No new matter is being presented, and approval of the amended claims is respectfully requested.

Traverse of Rejections

I. In item 4 of the Office Action, the Examiner rejects independent claims 1, 16-17, and 22 (and dependant claims 2, 5, and 18-20) under 35 U.S.C. §102(e) as being anticipated by Giniger et al. (U.S.P. 6199045). (Action at pages 3-9). The rejections are traversed.

Independent claim 1, as amended herein, recites a system including:

- a) "a terminal . . . encrypting measured position information . . . and transmitting the encrypted position information;" and
- b) "a position recording apparatus . . . receiving the encrypted position information transmitted from the terminal . . . and recording the previously encrypted position information in an encrypted state (emphasis added)," and
- c) "wherein the position recording apparatus can decrypt the recorded encrypted position information only after the terminal sends decryption data to allow the position recording apparatus to decrypt the recorded encrypted position informational (emphasis added)," per than attached. Independent claims 16, 17, and 22 have similar recitations.

Applicant submits the art relied on by the Examiner, alone or in *arguendo* combination does not teach such a decryption of recorded and previously encrypted position information that occurs only after a mobile terminal sends decryption data.

In particular, by contrast, Giniger, the primary art relied on by the Examiner, merely teaches:

If a secure connection is desired by the user or required by the central site server 107', . . . the central site server 107' uses the established circuit-switched data connection to send its public key certificate to a security unit contained within the mobile unit 103'. . . . , the mobile unit 103' uses the established circuit-switched data connection to transmit back to the central site server 107' a message that includes a challenge field encrypted using the public key of the central site server 107' and the mobile unit's public key certificate. . . . the central site server 107' decrypts the challenge field that was received from the mobile unit 103' . . . and sends both the challenge field and a symmetric key back to the mobile unit 103' via the established circuit-switched data connection. This message is transmitted in an encrypted form using a public key envelope. Upon receipt of the message, the security element in the mobile unit 103' decrypts the public key envelope and stores the symmetric key for use in all future transmissions with the central site server 107' for the duration of the call (step 607). That is, all subsequent transmissions with the mobile unit 103' will be encrypted using the symmetric key.

(Emphasis added, col. 17, lines 27-53).

That is, Giniger merely teaches exchange of cryptological information between a mobile unit and a central site server prior to a transmission of actual information, e.g., position information so as permit to "all subsequent transmissions" of the actual information, e.g., positional information to be encrypted. That is, Giniger teaches, in essence, a handshaking before a transmission of encrypted information "of substance", e.g., positional information.

Giniger does not teach a recording of encrypted information, i.e., encrypted positional information by the server which is subsequently decrypted.

Since features recited by independent claims 1, 16-17, and 22 (and defendant claims 2, 5, and 18-20) are not disclosed by Giniger the rejection should be withdrawn and claims 1-5, 16-20, and 22 allowed.

II. In items 6-9 of the Office Action, the Examiner rejects dependent claims 3-4, 6-15, and 21 under 35 U.S.C. §103(a) as being unpatentable over Giniger in view of combinations of Olsson (U.S. Pub. No. US 2002/0080968), Pirila (U.S.P. 6674860), and Walsh et al., Pub. No. US 2004/0033795. (Action at pages 9-19). The rejections are traversed.

Claims 3-4 and 6-15 depend from independent claim 1, which, as stated above, patentably distinguishes over Giniger and should be allowed. Claim 21 depend from parent claim 17, which, as stated above, also should be allowed.

It is further submitted that Olsson, Pirila, and Walsh fail to cure the deficiencies above, and thus it is respectfully submitted that dependent claims 3-4 and 6-15 patentably distinguish over the prior art.

Summary of Traverse

Since features recited by independent claims 1, 16-17, and 22 (and respective dependent claims) are not taught by even an arguendo combination of the art relied on by the Examiner, the rejections should be withdrawn and claims 1-22 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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